

U.S. PATENT APPLN. S.N. 09/524,575
PRELIMINARY AMENDMENT

PATENT

REMARKS

Claims 13, 14, 16, 18 and 20 have been canceled. Claims 7, 26 and 29 have been amended to avoid any possible interpretation of the apparatus for treating an exhaust gas stream disclosed on page 20, lines 8-10, and page 26, lines 9-14, of WO 94/11623 being within the scope of the claims of the present application. The claims now recite that in the system for purification of exhaust gas from an internal combustion engine the adsorbent zone and the catalyst zone are positioned in an in-line exhaust pipe of the internal combustion engine with said adsorbent zone being upstream of said catalyst zone with respect to flow of said exhaust gas.

An Action was issued in this application on October 19, 2004, prior to the expiration of the three-month period of suspension requested at the time of filing of the RCE of this application on July 29, 2004. The Examiner, Ms. Tran, has advised the undersigned representative that the Action will be removed since it was issued prior to the expiration of the three-month period of suspension. The Office is requested to consider the above amendments and the following remarks prior to issuing a further Action.

In the Action issued October 19, 2004, the Office took the position that WO 94/11623 discloses a system in which the catalyst zones are provided in an in-line type of exhaust pipe.

U.S. PATENT APPLN. S.N. 09/524,575
PRELIMINARY AMENDMENT

PATENT

Specifically, the Office noted the disclosure on page 20, lines 8-10, and page 26, lines 9-14. (Page 3, section (5), lines 10-11, of the Action). (See also the Examiner's remarks on page 8, section (9), 3-8, of the Action).

The description on page 20, lines 8-10, of WO 94/11623 is that the first catalyst zone and second catalyst zone may each comprise discrete carrier monoliths. However, it is described in lines 10-12 of the same page that heat exchange between the monoliths is achieved by disposing the monoliths in heat exchange relation to one another.

Applicants respectfully submit that two monoliths disposed in heat exchange relation with one another cannot be positioned in an in-line exhaust pipe of an internal combustion engine as required by the claims. Such monoliths, for example, have to be aligned in parallel in contact with each other or provided in a concentric manner as shown in Fig. 10 of WO 94/11623, or the like. To be arranged in heat exchange relation with the first catalyst monolith, the second catalyst monolith must be arranged adjacent or close to the first catalyst monolith such that exhaust gas that passes through the first catalyst monolith and through the adsorbent zone is returned to the location of the first catalyst monolith such as shown, for example, in Fig. 1 of WO 94/11623

U.S. PATENT APPLN. S.N. 09/524,575
PRELIMINARY AMENDMENT

PATENT

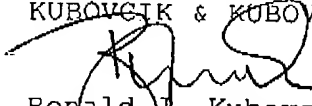
(without the conventional heat exchanger 23). Such arrangement is not possible in an in-line exhaust pipe.

If the Office maintains its position that the system of WO 94/11623 where the first and second catalyst zones comprise discrete monoliths in heat exchange relation to one another is within the scope of the claims of the present application, it is respectfully requested to explain how the monoliths could be provided in an in-line exhaust pipe in heat exchange relation to one another.

A favorable action on the merits is believed to be in order and is respectfully solicited.

It is not believed that any fee is required in connection with this amendment. However, the Commissioner is authorized to charge our Deposit Account No. 111833 for any fee which is deemed by the Patent and Trademark Office to be required to effect consideration of this amendment.

Respectfully submitted,
KUBOVCIK & KUBOVCIK


Ronald J. Kubovcik
Reg. No. 25,401

Atty. Case No. SEI-142-133
The Farragut Building
Suite 710
900 17th Street, N.W.
Washington, D.C. 20006
Tel: (202) 887-9023
Fax: (202) 887-9093
RJK/jbf